

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: Request for a rear yard setback variance from 30 feet to 10 feet for a proposed room addition in PUD (Planned Unit Development District); (Colleen Jones, applicant).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 12/4/06 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed room addition in PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed room addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Colleen Jones Owner: Colleen Jones Location: 230 Donegal Avenue Zoning: PUD (Planned Unit Development District) Subdivision: Greenwood Lakes Unit 1
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 25-foot by 25-foot (625 square foot) addition that would encroach 20 feet into the required 30-foot rear yard setback. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.

STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure. <i>The applicant could design and constructed an addition without the need for a variance.</i>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the board should decide to grant a variance, staff recommends the following conditions of approval:<ul style="list-style-type: none">• Any variance granted shall apply only to the addition as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 18

TWP: 20

RNG: 30

DEVELOPMENT:		Greenwood Lakes Unit 1				DEVELOPER:		Florida Land Co. & Wilco Development Corp															
LOCATION:		135 Units – 54.51 Acres																					
FILE#:				BA:				SP:				BCC:		12/27/77									
P&Z:																							
PB	21	17, 18 19		Lot		Blk		Parcel		DBA		Comm Dist											
DEVEL. ORDER #:								TAX PAR. I.D. #:															
SIDEWALKS:								SETBACK REQUIREMENTS															
								<table border="1"> <tr> <td>FY:</td> <td>25'</td> <td>SIDE ST.:</td> <td></td> <td>SY:</td> <td>7.5'</td> <td>RY:</td> <td>30'</td> </tr> </table>								FY:	25'	SIDE ST.:		SY:	7.5'	RY:	30'
FY:	25'	SIDE ST.:		SY:	7.5'	RY:	30'																
ROAD TYPE: (CURB & GUTTER OR SWALE)								MAIN STRUCTURE OTHER: Min. Lot size: 6500 sq. ft. Min. Dwelling size: 800 sq. ft. Maximum height: 35'															
COMMENTS OTHER:								ACCESSORY STRUCTURE SETBACKS:															
1) Lake Emma Road will be paved from Lake Mary Boulevard to its intersection with Greenwood Boulevard prior to the issuance of the first Certificate of Occupancy. 2) Developer agrees to construct Greenway Boulevard to align with the intersection of Rinehart Road and Lake Mary Boulevard. 3) Lots 1-9A and 53-57A are double front lots and require fencing along Greenwood Boulevard. 4) County Engineer requested, whenever possible that the developer not place water and sewer lines under pavement. No flood prone lots.								<table border="1"> <tr> <td>SY:</td> <td>7.5'</td> <td>RY:</td> <td>5'</td> </tr> </table>								SY:	7.5'	RY:	5'				
SY:	7.5'	RY:	5'																				
								ACCESSORY STRUCTURE OTHER:															

	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	\$10.00
	5. PARK	
	6. SCHOOL	\$300.00
	7. LAW	
8. DRAINAGE		
	TOTAL	
REMARKS:		

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.

COPY

Fee: \$150.00 plus \$50.00 for each additional variance

Application # 612006-194
Meeting Date _____

VARIANCE APPLICATION

SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Colleen R. Jones
 Address: 230 Donegal Avenue City: Lake Mary Zip code: 32746
 Project Address: 230 Donegal Avenue City: Lake Mary Zip code: 32746
 Contact number(s): 407-474-5330
 Email address: CJonesey@cfl.rr.com

Is the property available for inspection without an appointment? ☒ Yes ☐ No

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: 25' x 25' Room Addition for Parents
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

What type of variance is this request?				
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	30 Ft.	Proposed setback:	10 Ft.
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Total number of variances requested <u>1</u>				

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist are provided to the planning division.

Signed: _____

L:\projects\boa\Master forms & Lists\BOA Applications\2006\Variance\Application Variance 2006.doc

FOR OFFICE USE ONLY

Date Submitted: _____

Reviewed By: ES

Tax parcel number: _____

Zoning/FLU PUD

- ☐ Legally created parcel (1971 tax roll, 5-acre dev, lot split)
- ☐ Platted Lot (check easements as shown on lots, in notes or in dedication)
- ☐ Lot size _____ ☐ Meets minimum size and width
- ☐ Application and checklist complete

Notes: check plat/double check easements**VARIANCE SUBMITTAL CHECKLIST**Please return this checklist with your application!

After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.

	1. Completed application.
	2. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information
	NOTE: Please use your property survey for your site plan, if available.
	See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities (ex: water, sewer, well or septic)
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

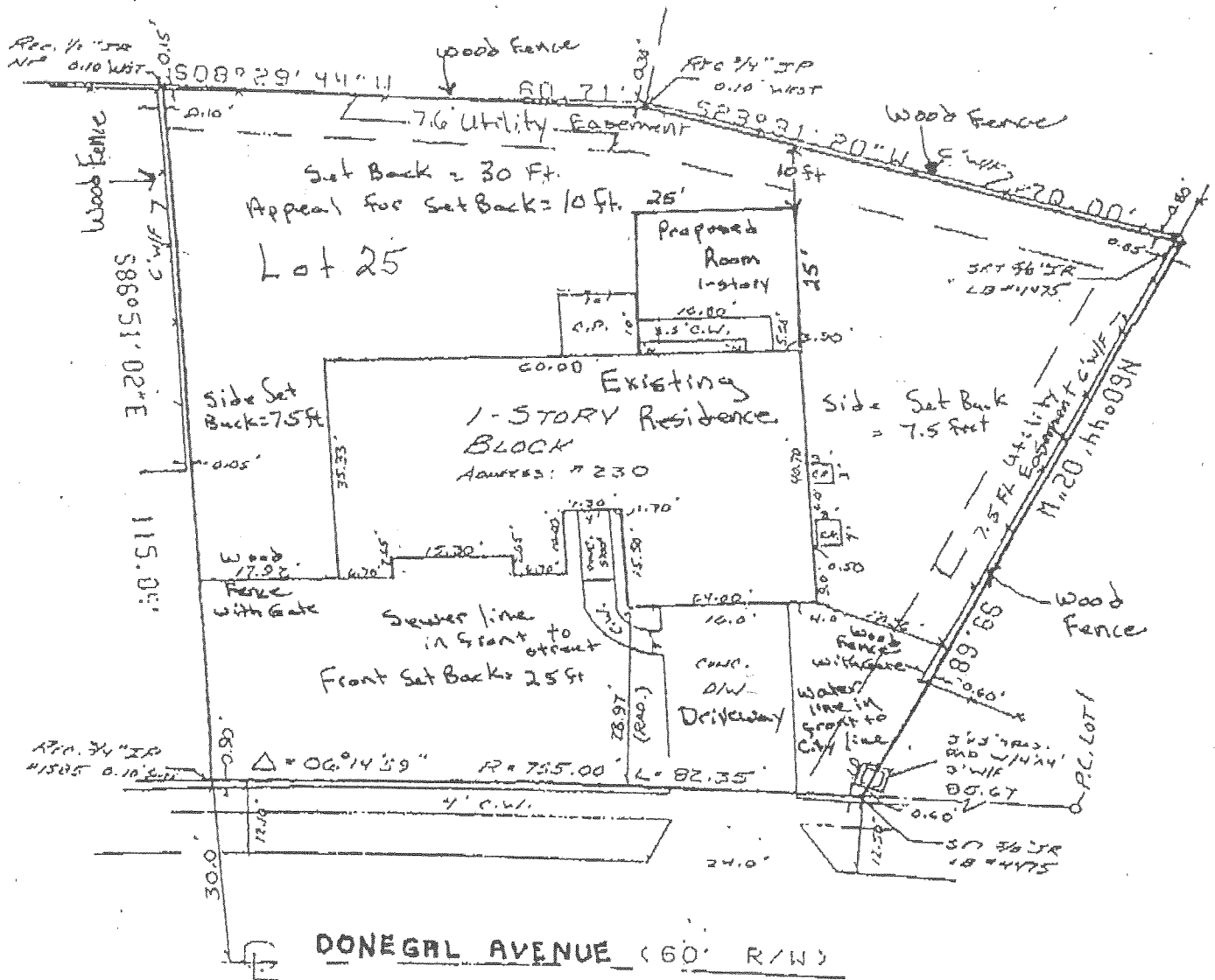
PLAT OF SURVEY

DESCRIPTION

DESCRIPTION

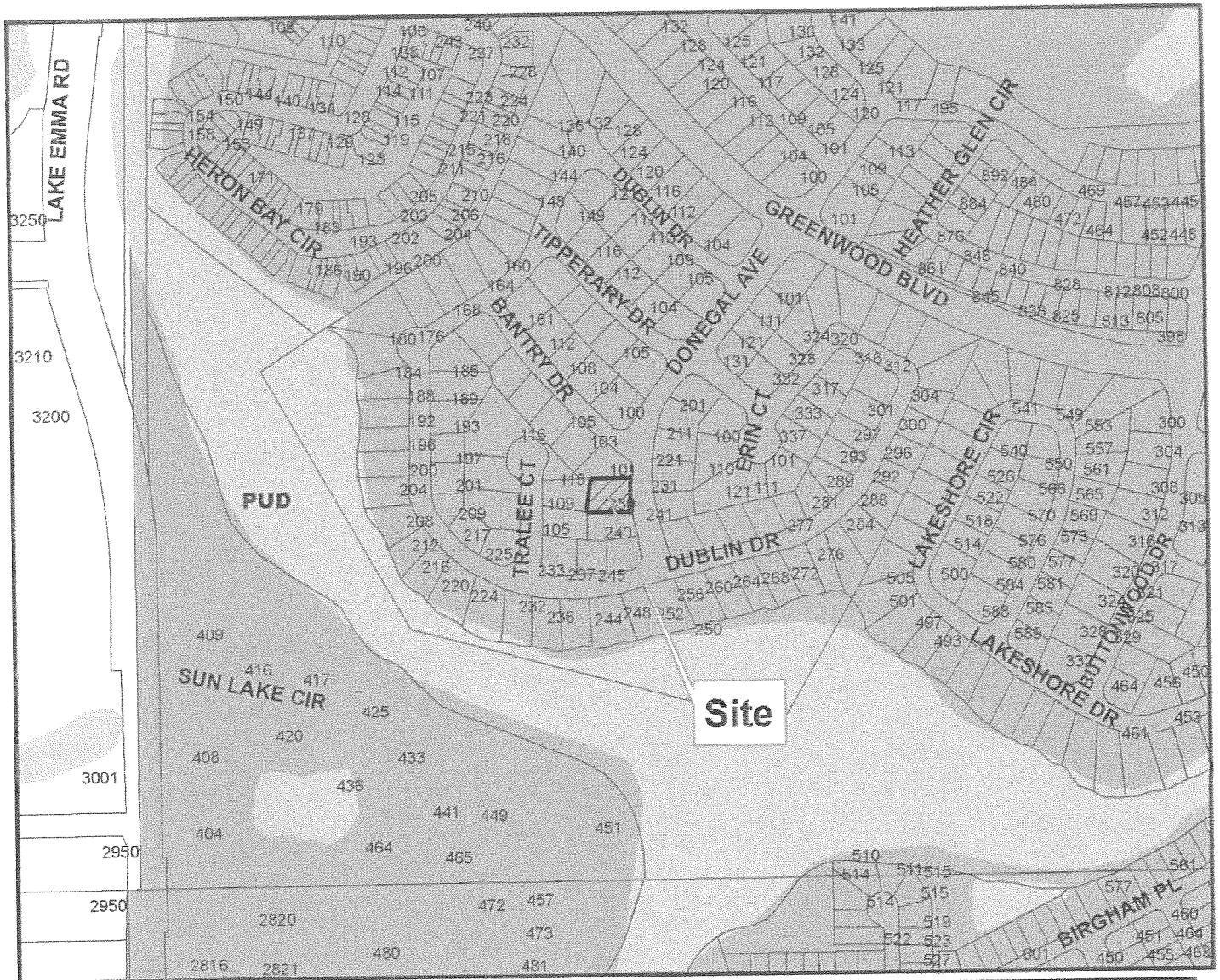
Lot 25, Block D, GREENWOOD LAKES UNIT 1

as recorded in Plat Book 21, Page (8) 17-19, Public Records of Seminole County, Florida


$$I \Rightarrow$$



PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																																																											
GENERAL Parcel Id: 18-20-30-501-0D00-0250 Owner: JONES COLLEEN R & Own/Addr: ULRICH RACHEL I Mailing Address: 230 DONEGAL AVE City,State,ZipCode: LAKE MARY FL 32746 Property Address: 230 DONEGAL AVE LAKE MARY 32746 Subdivision Name: GREENWOOD LAKES UNIT 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY		2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$134,778 Depreciated EXFT Value: \$0 Land Value (Market): \$38,000 Land Value Ag: \$0 Just/Market Value: \$172,778 Assessed Value (SOH): \$90,891 Exempt Value: \$25,000 Taxable Value: \$65,891 Tax Estimator																																																									
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>01/2005</td> <td>05572</td> <td>1472</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1990</td> <td>02195</td> <td>0553</td> <td>\$79,400</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>02/1981</td> <td>01320</td> <td>1203</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1979</td> <td>01255</td> <td>1059</td> <td>\$50,900</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	01/2005	05572	1472	\$100	Improved	No	WARRANTY DEED	06/1990	02195	0553	\$79,400	Improved	Yes	QUIT CLAIM DEED	02/1981	01320	1203	\$100	Improved	No	WARRANTY DEED	11/1979	01255	1059	\$50,900	Improved	Yes	2006 VALUE SUMMARY Tax Value(without SOH): \$2,394 2006 Tax Bill Amount: \$1,019 Save Our Homes (SOH) Savings: \$1,375 2006 Taxable Value: \$63,244 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																						
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NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																																											

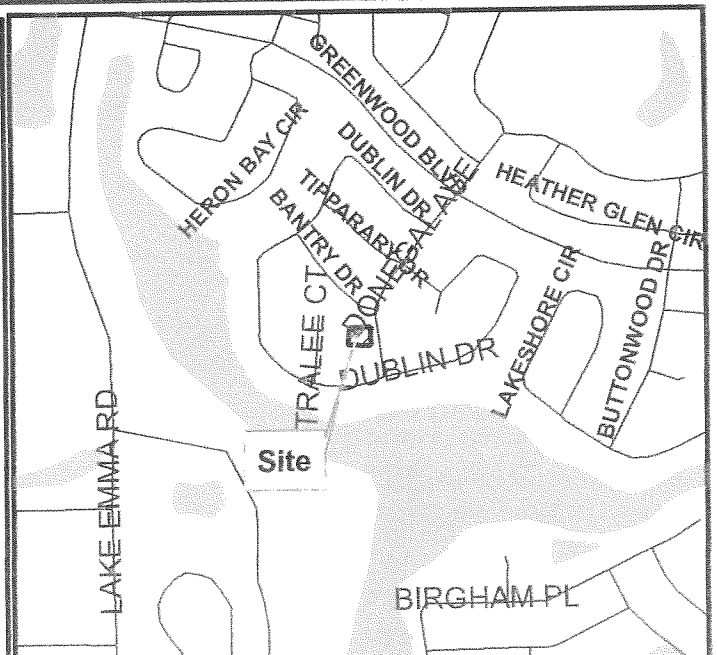
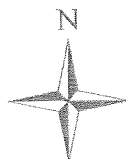
Colleen Jones & Rachel Ulrich
230 Donegal Avenue
Lake Mary, FL 32746



Seminole County Board of Adjustment
December 4, 2006
Case: BV2006-194 (Map 3103, Grid C3)
Parcel No: 18-20-30-501-0D00-0250

Zoning

-  BV2006-194
-  PUD



Colleen R. Jones
230 Donegal Avenue
Lake Mary, Florida 32746
407-474-5330
CJonesey@cfl.rr.com

FACSIMILE TRANSMITTAL SHEET

TO:	Karen Mathews & Ian Sikonia	FROM:	Colleen Jones
COMPANY:	Seminole County Planning Div	DATE:	10/13/2006
FAX NUMBER:	407-665-7385	TOTAL NO. OF PAGES INCLUDING COVER:	6
PHONE NUMBER:	407-665-7432	SENDER'S PHONE NUMBER:	407-474-5330
RE:	Variance Application	SENDER'S FAX NUMBER:	407-322-5889
NOTES/COMMENTS:			

Dear Karen & Ian:

Following please find Variance Application for 230 Donegal Avenue Rear Yard requesting change from 30 Foot Set Back to 10 Foot Set Back.

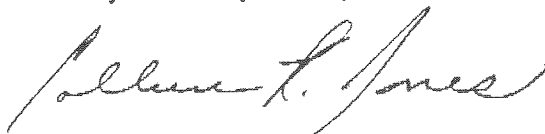
The DRB is en route to the Home Owners Association for signed approval. I have spoken to the board and they have already approved the addition verbally.

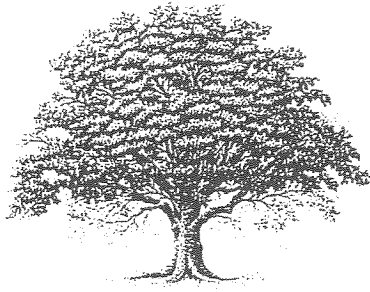
I have spoken to the neighbors on the north and east side of the property and they have verbally approved the addition for my elderly parents. I am working on getting a letter signed by them by December 3rd.

Please let me know if I should send any other information.

I am mailing \$150.00 check today. If it is necessary to deliver the check in order to meet the requirements for the December 4th meeting, please let me know.

Thank you for all your help,





Raintree

at the Crossings

November 8, 2006

BV 2006-194

Eric & Colleen Jones
P.O. Box 953263
Lake Mary, Florida 32795

RE: Approval of ARB Application

Dear Mr. & Mrs. Jones:

Please find enclosed a copy of the **approved** ARB application that you submitted to the Board of Directors, date October 12, 2006 for the property improvements listed. Please be advised you are required to apply to Seminole County for any permits needed. This copy is for your records.

If you have any further question, you may put them in writing to the address below, contact a Board Member, or attend the monthly meeting.

The Board of Directors

GREENWOOD LAKES UNIT 1

*Greenwood Lakes Homeowners Association, Inc. Unit 1
P. O. Box 950293
Lake Mary, Florida 32975-0293*

Rec 10-16-06

**RAINTREE SUBDIVISION
LAKE MARY, FLORIDA**

ARCHITECTURAL REVIEW

This application for the Architectural Committee Review is submitted as per the Covenants of Greenwood Lakes Homeowner Association, Inc., and must be submitted 30 days prior to the start of work.

Applicant: Colleen Jones Lot Number: 25
Address: 230 Donegal Avenue County Plat #: 21, Pages 17-19
Telephone: 407-474-5330 Date: October 12, 2006

Description:

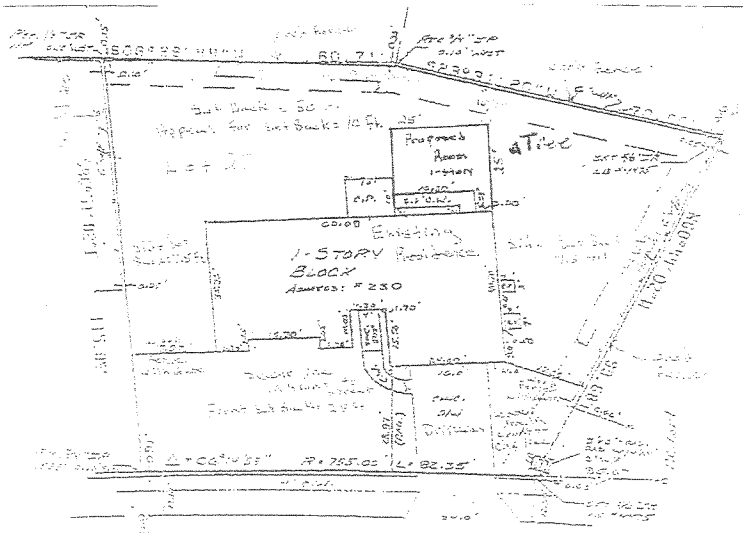
Check the following as applicable:

<input type="checkbox"/> Renovation – exterior of Structure	<input type="checkbox"/> Fencing-type- wood/plastic
<input checked="" type="checkbox"/> Addition or Modification to Structure	<input type="checkbox"/> Landscape, Irrigation system
<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Re-Roofing-type
<input type="checkbox"/> Screen Enclosure	<input type="checkbox"/> Patio, Sidewalks, and Driveway
<input checked="" type="checkbox"/> Tree Removal – Possibly 1	<input checked="" type="checkbox"/> Other: <u>Shingle Roof</u>
Tree in back yard	<u>with Fascia & Soffit</u>
	<u>Repairs</u>
	<input checked="" type="checkbox"/> Other: <u>Replace Screens on Porch</u>
	<u>with windows.</u>

The following items are required for approval of this application:

☐ Review of existing Covenants and compliance with same.
☐ Site survey plan including improvements and easements.
☐ Submission of drawing and or description of improvements noting compliance with all county requirements.
☐ Contractor to perform work: _____
☐ Building permit #: _____

PLEASE HAND DRAW YOUR PLAN BELOW



Variance Application
for Set Back Feet
Rear Yard from
30 Feet to 10 Feet
Scheduled for 12/4/06
Board of Adjustment
Meeting.

RAINTREE SUBDIVISION
LAKE MARY, FLORIDA

Applicant agrees to the following conditions after approval of this Application:

Building permit will be obtained prior to start of construction.

Applicant will conform to all codes and requirements of Seminole County and the Covenants of Greenwood Lakes Homeowners Association, Inc.

Applicant shall be responsible for any damage to existing common elements of the Subdivision. Any damage to existing elements shall be repaired at the applicants expense to meet or exceed existing conditions.

The Applicant agrees to limit construction activities to a period from 7:30 AM to 9:00PM daily.

All construction debris shall be removed promptly.

The general public will be protected from any hazards created by the work, i.e.: fencing, barricades, etc. as necessary.

I certify as Applicant the above requirements have been met:

Applicant: _____

Date: _____

Blaine L. Jones
10-12-2006

Date

11-7-06

Approved

Disapproved

Raintree Subdivision Architectural Committee:

Name: _____

Judy Lamm

Name: _____

CSA

Name: _____

Frank Mappel

Comments:

all county permits must be followed.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 4, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 25 BLK D GREENWOOD LAKES UNIT 1 PB 21 PGS 17 TO 19

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Colleen Jones
230 Donegal Avenue
Lake Mary, FL 32746

Project Name: Donegal Avenue (230)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 10 feet for a proposed room addition in PUD (Planned Unit Development District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the addition as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
April Boswell, AICP
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: